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EXAMINER	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/748,661	BHARAT ET AL.	
	Examiner	Art Unit	
	SANGWOO AHN	2168	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *13 February 2009*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *19 – 20, 22 – 28, 30, 33 – 36, 39 and 41 – 45* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *19 – 20, 22 – 28, 30, 33 – 36, 39 and 41 – 45* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

Claims 19 – 20, 22 – 28, 30, 33 – 36, 39 and 41 – 45 are pending.

Claims 19 – 20, 22 – 28, 30, 33 – 36, 39 and 41 have been amended.

Claims 1 – 18 have been canceled.

Claims 42 – 45 have been added.

Response to Arguments

Applicant's arguments have been fully considered but they are not persuasive.

Applicant mainly argued with respect to claim 21, since Mathur does not disclose or suggest that the index information includes query data and is sent in response to a request to access a portion of news content and from a custom news server to a news search server, Billsus and Polizzi further in view of Mathur do not teach the limitations recited in claim 21. Applicant further contended that Examiner "admits" that Billsus and Polizzi do not disclose "sending query data, in response to a request to access a portion of first news content, to a news search server that is operable to crawl and aggregate new content from a plurality of new sources, where the query data includes a uniform resource locator (URL) associated with the requested portion of the first news content, and where the sending is performed by a communication interface or an output device of the custom news server."

Examiner respectfully traverses the argument. First of all, Examiner NEVER admitted that Billsus and Polizzi do not disclose "sending query data, in response to a request to access a portion of first news content, to a news search server that is operable to crawl and aggregate new content from a plurality of new sources, where the query data includes a uniform resource locator (URL) associated with the requested portion of the first news content, and where the sending is performed by a communication interface or an output device of the custom news server." Rather, Examiner asserted exactly the opposite. Examiner only stated that Billsus and Polizzi do not explicitly indicate that the query data includes a URL associated with the portion of the news content. Therefore, only deficiency of Billsus and Polizzi that needs to be cured is the query data including "a URL associated with the portion of the news content."

Mathur clearly discloses the aforementioned feature in column 11 lines 25 – 33 (information identifying the location of the web pages (e.g. URLs corresponding to the web pages)). The "index information" comprising information related to contents of the web pages can be analogous to the "query data" comprising URL associated with the news content.

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.,* 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Applicant further contended that Billsus fails to teach "embedded search queries." Examiner disagrees. Billsus does teach this feature in paragraph 35 lines 3 – 6 (extract text from one or more accessed document and transmit the extracted text to the server module → the extracted text/keyword is the embedded search query within the news content).

Applicant also submitted that an embedded search query is a query that is included in the code, such a markup language code, of a document, and is executed when the document is accessed. In response to this argument that the references fail to show the aforementioned feature of applicant's invention, it is noted that the features upon which applicant relies (i.e., embedded query is a query that is included in the code, such as markup language code, of a document, and is executed when the document is accessed) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Applicant finally argued that Billsus and Polizzi do not disclose or suggest that embedded search queries comprise an applet or an iframe. Examiner agrees with this argument. However, Examiner never asserted that Billsus and Polizzi disclose this feature, rather, admitted such deficiency in page 13 of the Non-Final Rejection mailed on 11/13/2008. Examiner also stated that Beck discloses the embedded search queries in the form of an applet or a hyper text markup language (HTML) iframe in paragraph 24.

For the foregoing reasons, 35 USC 103 rejections of the pending claims are hereby sustained.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 30, 33 – 34, 39, 41 – 42 and 44 – 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Publication Number 2005/0137996 issued to Billsus et al. (Billsus) in view of U.S. Patent Number 6,643,661 issued to Polizzi et al. (Polizzi).

Regarding claim 30, Billsus discloses,

A system, comprising:

a first server configured to:

store a document local to the first server, where the document includes news content that contains embedded search queries, the document being created by the first server (paragraph 35 lines 3 – 4: extract text from one or more accessed documents, paragraph 35 lines 5 – 6: transmit the extracted text to the server module, et seq.), and

send a search query that was embedded within the news content across at least a portion of a network to a second server (paragraph 35 lines 3 – 4: extract text

from one or more accessed documents, paragraph 35 lines 5 – 6: transmit the extracted text to the server module, paragraph 59 lines 3 – 4: a text fragment of arbitrary length into a weighted query, et seq.); and the second server to:

search the news content based on the search query to obtain search results (paragraph 47 lines 4 - 5: search for content that is closely related to the user's current context, paragraph 55 lines 2 – 4: collection, summarization and document construction process to generate the digest, et seq.), and

provide particular news content to the first server based on the search results (paragraph 48 lines 15 – 17: related content is processed and transmitted back to the client module, and thus to the user computing device); the first server being further configured to:

permit a plurality of clients to access, from across the network, the locally created document that includes the news content and the particular news content received from the second server (paragraph 55 lines 2 – 4: collection, summarization and document construction process to generate the digest, paragraph 81: generated digest are provided to the user, et seq.), where the first server, the second server, and the plurality of remote servers comprise different network devices that connect to the network (Figure 2, paragraph 37, et seq.).

Billsus does not explicitly indicate that the second server is operable to crawl a corpus of news documents hosted on other servers.

However, Polizzi discloses a crawl server (the second server) operable to crawl documents on server agents (other servers) by navigating the portal, the intranet, and

the Internet, and to gather and download documents from the Internet (store information associated with the crawled documents) (Figure 2 elements 235 and 250, column 12 lines 46 – 67, et seq.). It would have been obvious to a person of ordinary skill in the data processing art to modify Billsus's method of aggregating news content from multiple sources to incorporate Polizzi's method of crawling documents, thus enabling automatic access to multiple computer systems to retrieve desired data and present them to an individual in a standardized and easy-to-learn format (column 1 lines 46 – 50, et seq.).

Regarding claim 42, Billsus discloses the search query comprises at least one of one or more keywords (paragraph 35 lines 3 - 6, et seq.).

Regarding claim 44, Billsus discloses the received news content is selected from a particular group of news content based on the one of the embedded search queries (paragraph 35 lines 3 - 6, et seq.).

Regarding claim 45, Billsus discloses a ranked list of news content (claims 14, 33 and 54, et seq.).

Regarding claim 33, Billsus discloses,

A method, comprising:

Embedding, by a processor of a custom news server, search queries in selected locations of news content documents stored at the custom news server (paragraph 35 lines 3 – 4: extract text from one or more accessed documents, paragraph 35 lines 5 – 6: transmit the extracted text to the server module, paragraph 59 lines 3 – 4: a text fragment of arbitrary length into a weighted query, et seq.);

Receiving by a communication interface or an input device of the custom news server, a selection of one of the news content documents from a user at a client (paragraph 45 lines 3 – 4: when the user opens the document, paragraph 46 lines 5 - 7: transmissions takes place whenever the user performs an action on the document, et seq.);

Retrieving, by the processor, one of the embedded search queries in response to receiving the selection of the one of the news content documents (paragraph 45 line 4: text extraction circuit or routine, paragraph 59 lines 3 - 4: text fragment into a weighted query, et seq.); and

Sending, by the communication interface or an output device of the custom news server, query data comprising the one of the embedded search queries to a news search server (paragraph 35 lines 3 – 4: extract text from one or more accessed documents, paragraph 35 lines 5 – 6: transmit the extracted text to the server module, paragraph 59 lines 3 – 4: a text fragment of arbitrary length into a weighted query, et seq.).

Billsus does not explicitly indicate that the news search server server is operable to crawl a corpus of news documents hosted on other servers and store information associated with the crawled documents.

However, Polizzi discloses a crawl server (the news search server server) operable to crawl documents on server agents (other servers) by navigating the portal, the intranet, and the Internet, and to gather and download documents from the Internet (store information associated with the crawled documents) (Figure 2 elements 235 and

250, column 12 lines 46 – 67, et seq.). It would have been obvious to a person of ordinary skill in the data processing art to modify Billsus's method of aggregating news content from multiple sources to incorporate Polizzi's method of crawling documents, thus enabling automatic access to multiple computer systems to retrieve desired data and present them to an individual in a standardized and easy-to-learn format (column 1 lines 46 – 50, et seq.).

Regarding claim 34, Billsus discloses searching, at the news search server, the repository of documents based on the one of the embedded search queries to obtain the news content (paragraph 47 lines 4 - 5, paragraph 55 lines 2 – 4, et seq.) and sending the obtained news content from the news search server to the custom news server across the network (paragraph 48 lines 15 – 17, et seq.).

Regarding claim 39, Billsus discloses the query data includes at least a portion of text from the selected one of the news content documents (paragraph 35 lines 3 – 4, paragraph 35 lines 5 – 6, et seq.).

Regarding claim 41, Billsus and Polizzi disclose the method of claim 39, along with generating a search query based on keywords of the new content documents (paragraph 35 lines 3 – 4, paragraph 35 lines 5 – 6, et seq.) and searching, at the second server, the repository of crawled documents based on the generated search query to obtain news content that is related to the search query (paragraph 47 lines 4 - 5, paragraph 55 lines 2 – 4, et seq.).

Billsus and Polizzi do not explicitly disclose fetching the selected one of the news content documents using the URL.

However, Mathur discloses fetching the selected one of the news content documents using the URL in column 11 lines 25 - 33. It would have been obvious to a person of ordinary skill in the data processing art at the time the invention was made to modify Billsus and Polizzi's system to incorporate the query data comprising a URL as taught by Mathur, thus enabling identification of documents of interest with minimal user intervention.

Claims 19 – 20, 22 – 28 and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Publication Number 2005/0137996 issued to Billsus et al. and U.S. Patent Number 6,643,661 issued to Polizzi et al. (Polizzi), further in view of U.S. Patent Number 6,581,072 issued to Mathur et al. (Mathur).

Regarding claim 19, Billsus discloses,

A method performed by a custom news server, the method comprising:

Permitting, by a processor of the custom news server, multiple users to access first news content contained in one or more news documents stored at the custom news server (paragraph 34 lines 1 – 2: multiple users connect to the server module from multiple different systems, paragraph 35 lines 3 – 4: extract text from one or more accessed documents, et seq.);

Receiving, by a communication interface or an input device of the custom news server, a request to access a portion of the first news content;

sending query data, in response to the request, to a news search server that is operable to aggregate news content from a plurality of news sources (paragraph 35 lines 3 – 4: extract text from one or more accessed documents, paragraph 35 lines 5 –

6: transmit the extracted text to the server module, paragraph 47 lines 4 - 5: search for content that is closely related to the user's current context, paragraph 55 lines 2 – 4: collection, summarization and document construction process to generate the digest, et seq.);

receiving, by the communication interface or the input device, second news content from the news search server based on the query data (paragraph 55 lines 2 – 4: collection, summarization and document construction process to generate the digest, et seq.);

incorporating, by the processor, the second news content into the one or more news documents (Figure 1 element 70, paragraph 55 lines 2 – 4: collection, summarization and document construction process to generate the digest, et seq.); and

permitting, by the processor, the multiple users to access, via the network, the second news content at the custom news server (paragraph 55 lines 2 – 4: collection, summarization and document construction process to generate the digest, paragraph 81: generated digest are provided to the user, et seq.), wherein the custom news server and the news search server comprise different network devices that are connected via a network (Figure 2, paragraph 37, et seq.).

Billsus does not *explicitly* disclose a news server operable to crawl news content from a plurality of news sources.

However, Polizzi discloses a crawl server (the second server) operable to crawl documents on server agents (other servers) by navigating the portal, the intranet, and

the Internet, and to gather and download documents from the Internet (store information associated with the crawled documents) (Figure 2 elements 235 and 250, column 12 lines 46 – 67, et seq.). It would have been obvious to a person of ordinary skill in the data processing art to modify Billsus's method of aggregating news content from multiple sources to incorporate Polizzi's method of crawling documents, thus enabling automatic access to multiple computer systems to retrieve desired data and present them to an individual in a standardized and easy-to-learn format (column 1 lines 46 – 50, et seq.).

Billsus and Polizzi do not explicitly disclose the query data comprising a URL associated with the portion of the first news content.

However, Mathur discloses the query data comprising a URL associated with the portion of the first news content in column 11 lines 25 – 33 (information identifying the location of the web pages (e.g. URLs corresponding to the web pages)). It would have been obvious to a person of ordinary skill in the data processing art at the time the invention was made to modify Billsus and Polizzi's system to incorporate the query data comprising a URL as taught by Mathur, thus enabling identification of documents of interest with minimal user intervention.

Regarding claim 20, Billsus discloses executing a search, using the query data, to retrieve the second news content (paragraph 47 lines 4 – 5, et seq.).

Regarding claim 22, Mathur discloses retrieving at least a portion of text of the portion of the first news content using the URL and generating a search query for use in

the search based, at least in part, on the at least a portion of the text (column 11 lines 25 – 33, et seq.).

Regarding claim 23, Billsus discloses the textual portion of the portion of the first news content comprises key words of the portion of the first news content (paragraph 35 lines 3 – 4, paragraph 35 lines 5 – 6, et seq.).

Regarding claim 24, Billsus discloses aggregating the news content from the plurality of news sources and groups the news content (Figure 1 element 70, paragraph 55 lines 2 – 4: collection, summarization and document construction process to generate the digest, et seq.).

Regarding claim 25, Mathur discloses the search compares the URL with the grouped news content to determine a group from the grouped news content to which the URL belongs (column 11 lines 25 – 33, et seq.).

Regarding claim 26, Billsus discloses the query data comprises a textual portion of the portion of the first news content (paragraph 35 lines 3 – 4, paragraph 35 lines 5 – 6, et seq.).

Regarding claim 27, Billsus discloses the news search server generates a search query for use in the search based, at least in part, on the textual portion of the portion of the first news content (paragraph 35 lines 3 – 4, paragraph 35 lines 5 – 6, et seq.).

Regarding claim 28, Billsus discloses the textual portion of the portion of the first news content comprises key words of the portion of the first news content (paragraph 35 lines 3 – 4, paragraph 35 lines 5 – 6, et seq.).

Regarding claim 43, Mathur discloses the search query comprises a uniform resource locator (URL) of the news content (column 11 lines 25 - 33, et seq.).

Claims 35 – 36 is rejected under 35 U.S.C. 103(a) as being unpatentable over Billsus and Polizzi, further in view of U.S. Publication Number 2005/0027666 issued to Beck et al. (hereinafter "Beck").

Regarding claim 36, Billsus discloses,

One or more physical memory devices storing instructions executable by one or more processors, comprising instructions to:

embed search queries of news content documents stored at a custom news server (paragraph 35 lines 3 – 4: extract text from one or more accessed documents, paragraph 35 lines 5 – 6: transmit the extracted text to the server module, paragraph 59 lines 3 – 4: a text fragment of arbitrary length into a weighted query, et seq.);

receive a selection of one of the news content documents from a user at a client (paragraph 45 lines 3 – 4: when the user opens the document, paragraph 46 lines 5 - 7: transmissions takes place whenever the user performs an action on the document, et seq.);

retrieve one of the embedded search queries in response to receiving the selection of the one of the news content documents (paragraph 45 line 4: text extraction circuit or routine, paragraph 59 lines 3 - 4: text fragment into a weighted query, et seq.);

send query data comprising the one of the embedded search queries to a news search server that has stored information associated with other related documents (paragraph 35 lines 3 – 4: extract text from one or more accessed documents,

paragraph 35 lines 5 – 6: transmit the extracted text to the server module, paragraph 59 lines 3 – 4: a text fragment of arbitrary length into a weighted query, et seq.);

receive news content from the second server that is related to the query data (paragraph 48 lines 15 – 17: related content is processed and transmitted back to the client module, and thus to the user computing device);

populate one or more documents of the news content documents with the received news content for access by the user (paragraph 55 lines 2 – 4: collection, summarization and document construction process to generate the digest, paragraph 81: generated digest are provided to the user, et seq.).

Billsus does not explicitly indicate that the second server is operable to crawl a corpus of news documents hosted on other servers.

However, Polizzi discloses a crawl server (the second server) operable to crawl documents on server agents (other servers) by navigating the portal, the intranet, and the Internet, and to gather and download documents from the Internet (store information associated with the crawled documents) (Figure 2 elements 235 and 250, column 12 lines 46 – 67, et seq.). It would have been obvious to a person of ordinary skill in the data processing art to modify Billsus's method of aggregating news content from multiple sources to incorporate Polizzi's method of crawling documents, thus enabling automatic access to multiple computer systems to retrieve desired data and present them to an individual in a standardized and easy-to-learn format (column 1 lines 46 – 50, et seq.).

Billsus and Polizzi do not explicitly disclose the embedded search queries in the form of an applet or a hyper text markup language (HTML) iframe.

However, Beck discloses the aforementioned feature in paragraph 24. It would have been obvious to a person of ordinary skill in the data processing art at the time the invention was made to modify Billsus and Polizzi's method to incorporate Beck's use of hyper text markup language iframe, thus enabling an interactive online research system, locating an online site or document to present to a user.

Regarding claim 35, Beck discloses the search queries in the form of an applet or an iframe in paragraph 24.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SANGWOO AHN whose telephone number is (571)272-5626. The examiner can normally be reached on M-F 10-6.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

4/9/2009
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